

SGA Constitution

as of 2/14/03

I. Purpose: In an effort to broaden student discussion and representation on all issues, the students of Middlebury College have assembled this Student Government Association (SGA). This Student Government Association shall represent the student voice in every capacity.

II. Structure of the SGA: The SGA shall be composed of the Student Senate and the Presidential Cabinet.

A. Function of the Student Senate and Presidential Cabinet: To propose and pass all SGA legislation; to decide on issues relevant to the interests of the student body; to determine all official SGA positions, and to carry out all other duties as outlined in the Constitution and bylaws.

B. Voting Members of the Student Senate

1. Commons Senators: Each Commons will elect one Senator. The Commons Senators are responsible for reporting to their Commons Council on a weekly basis. They also report relevant Commons' activity to the SGA as well as their weekly activity with relation to their job as a student Senator. All Commons Senators will attend all regular SGA Senate meetings.

2. Class Senators: All Class Senators are expected to report the current concerns of their constituents to the SGA at each regular meeting. Additionally, each will report about their weekly activities with relation to their job as a student Senator.

i. First Years: Two full year Senators.

ii. Sophomores: Two full year Senators.

iii. Juniors: One full year Senator; One fall/winter term Senator; One spring term Senator.

iv. Seniors: Two full year Senators.

v. Senior February Students: One fall/winter term Senator.

vi. Freshman February Students: One spring term Senator.

3. House Senator: The IHC will have one Senator.

4. The Student Co-Chair of Community Council.

5. The President of the SGA.

C. The Presidential Cabinet: The Student Senate shall determine the structure of the Presidential Cabinet. Changes to the Presidential Cabinet require the majority consent of the Student Senate. The President of the SGA shall appoint the members of the Presidential Cabinet with the consent of the Student Senate. The bylaws of the SGA shall explain the duties and composition of the Presidential Cabinet.

D. Qualifications of Members of the Student Senate and Presidential Cabinet:

1. All positions are open to any matriculated student of the College.

2. Class Senators must be a member of the class they represent. Class Senators must be on campus for the duration of their office, with the exception of winter term.

3. Commons Senators must be a resident of the commons they represent for the duration of their office. Commons Senators must be on campus for the duration of their term, with the exception of winter term.

E. Vacancies

1. In the event that the President cannot fulfill the position of SGA president, the Student Co-Chair of Community Council will assume the dual role of SGA president and Student Co-Chair of Community Council only until a special election is administered to elect a permanent President.

2. In the event that the Student Co-Chair can not fulfill the position of Student Co-Chair of Community Council, then the SGA President will assume all responsibilities of the Student Co-Chair of Community Council during the interim of his/her absence or only until a special election is administered to elect a permanent Student Co-Chair of Community Council.
3. In the event of a vacancy of any appointed office in the SGA, the president shall appoint a new officer, subject to proper ratification.
4. In the event of a vacancy on the Student Senate, the Elections Council shall hold an election to fill the vacancy.

III. Committees:

- A. Standing Committees:** A standing committee is a committee that is stipulated by the SGA Constitution or bylaws. The Presidential Cabinet shall make all appointments to standing committees, subject to proper ratification unless otherwise stipulated. Standing committees must make a report to the Student Senate at least once per semester. The Presidential Cabinet shall advertise all committee positions before appointments are made.
- B. Ad Hoc Committees:** The Student Senate can create an ad hoc committee with a majority vote. These committees shall exist for a maximum duration of one year. Ad hoc committees may exist for a second year subject to majority approval of the Student Senate. After a period of two years, the Student Senate must decide to transform the committee with a majority vote into a standing committee or the committee must be dissolved.
- C. Rules Concerning Committee Members:**
 1. Any member of the student body may serve on a committee.
 2. A student may not serve on more than three SGA committees. The Presidential Cabinet in not an SGA Committee.
 3. Before any committee shall commence its work, the committee's members shall be subject to proper ratification, unless the committee must begin work before the first Student Senate meeting. Committee members must be ratified on a yearly basis.

IV. Ratification

- A. The Ratification Committee shall ratify all members of the Presidential Cabinet and SGA committees unless otherwise stipulated.
 1. Ratification Committee: The Ratification Committee consists of three students Senators elected by the Student Senate, excluding the SGA President and Student Co-Chair of Community Council. The committee self-selects their chair.
 2. The Ratification Committee ratifies all nominations by a majority vote. The Chair shall vote only in the event of a tie.
 3. If the Ratification Committee rejects a nominee, then the Presidential Cabinet must make a new nomination or appeal the decision. The appeal is made by the Presidential Cabinet to the Student Senate, and requires a three-fourths vote to overturn the Ratification Committee's decision.

V. Meetings

- A. Speaker of the Senate:** The Student Senate shall select the Speaker of the Senate by majority vote during the first meeting of the year. The Speaker of the Senate is a member of the Senate and is allowed to vote. The Student Senate can remove the Speaker of the Senate by a two-thirds vote.
- B. Agenda:** The President shall set the agenda for each Student Senate meeting, yet cannot block legislative items from the agenda.
- C. Attendance:** All members of the Student Senate must attend all Student Senate meetings. Members of the Presidential Cabinet will attend Student Senate meetings at the discretion of the President.

1. A member of the Student Senate missing more than two Senate meetings without being properly excused shall be removed from office.
- D. Emergency Meetings:** The President, Elections Council, or any five members of the Student Senate shall have the power to call an emergency meeting of the Senate.
- E. Quorum:** Quorum shall consist of a majority of the voting members of the Student Senate.

VI. Legislation

- A. Any student may author legislation.
- B. Only a member of the Student Senate may sponsor legislation.
- C. Unless otherwise stipulated in the Constitution or bylaws, the affirmative vote of a majority of Senators present is required to pass all proposals.

VII. Elections

- A. Elections Council:** The Elections Council shall be responsible for running all SGA elections and referenda in accordance with the SGA bylaws.
1. The Elections Council shall consist of five members appointed by the Presidential Cabinet. The Director of Membership shall chair the Elections Council unless he is a candidate for office in which case the President shall appoint another member of the Cabinet to serve as temporary chair. No other members of the Presidential Cabinet or Senate shall serve on this committee.
 2. The Elections Council does not require ratification.
- B. President and Student Chair of Community Council:** The President and Student Co-Chair of Community Council shall run on separate tickets. Upon completion of the eligibility requirements as defined in the bylaws, candidate petitions must be reviewed and confirmed by a majority of the SGA Senate before the commencement of campaigning.
- C. Student Senators:** Candidates for the Student Senate must meet all requirements defined in the bylaws and must receive the permission of the Elections Council before commencing campaigning.
- D. Violation of Procedures:** If any candidate violates any election procedures, the Elections Council shall have the power to call a special meeting of the Student Senate. During this meeting, the Elections Council will make a recommendation to the Student Senate regarding the eligibility of the involved candidate. The Student Senate, by a two-thirds vote, may then nullify said candidacy.

VIII. Finance and Constitution Appeals

- A.** The Appeals Committee shall hear complaints and review decisions made by the SGA Finance Committee and Constitution Committee based upon criteria established in the Constitution and bylaws.
1. The Appeals Committee shall consist of the SGA President, the Student Co-Chair of Community Council, and four Student Senators. The four Student Senators shall be chosen at the first Senate meeting of the year by a majority vote of the Senate. The Committee shall select one of the Student Senators to be chair.
 2. Two of the Student Senators, excluding the Committee Chair, shall be selected by the Committee to be appeals reviewers.
 3. The Appeals Committee does not require ratification.
- B.** Student organizations have the right to file an appeal with the Appeals Committee once communication between said organizations and the Finance or Constitution Committee have been exhausted. The bylaws of the SGA shall detail the grounds by which an organization may make an appeal.
- C.** Student organizations have the right to a fair and impartial hearing before the Appeals Committee. The bylaws of the SGA shall detail the appeals process.
1. In the event that a member of the Appeals Committee is involved in any way with the case, they shall abstain from participation.
 2. If fewer than four members of the Committee are eligible to participate, an additional Student Senate member shall be sought to fill the void.
- D.** Changes to Appeals Guidelines: The Student Senate may amend the Finance and Constitution Appeals Guidelines, as stated in the SGA bylaws, by a two-thirds vote of the Student Senate. Changes shall go into effect at the beginning of the next semester.

IX. Impeachment

- A. Any member of the Presidential Cabinet or Senate shall be impeached when they violated the SGA Constitution or bylaws in a clear and intentional manner. Proceedings shall be commenced by:
 1. A written petition signed by one-quarter of a member's constituency to the Impeachment Committee.
 2. A written statement by a member of the Student Senate or Presidential Cabinet that is submitted to the Chair of Impeachment Committee.
- B. The Impeachment Committee shall examine any petition or statement given to it and recommend to the Student Senate whether or not the member should be removed from office.
 1. The Impeachment Committee shall consist of three Senators chosen by majority vote of the Student Senate. The Speaker of the Senate, the SGA President, and Student Co-Chair of Community Council may not serve on the Impeachment Committee. The Committee shall self-select a chair.
 - a. The Impeachment Committee does not require ratification.
 2. The Impeachment Committee procedures shall be outlined by the SGA bylaws. The Student Senate may change Impeachment Committee procedures by a two-thirds vote.
 3. The accused shall receive a fair and impartial hearing before the Impeachment Committee. If a member of the Committee has brought the charges, said member must recuse himself or herself. In such a case, the Chair of the Impeachment Committee shall select another member of the Student Senate to replace said member.
- C. The full Student Senate shall hold an Impeachment hearing if recommended by the Impeachment Committee.
 1. The Speaker of the Senate shall chair impeachment proceedings. If the Speaker brought charges or is subject to charges, then the Senate shall choose a temporary Speaker by a majority vote. Members of the Impeachment Committee may not serve as the temporary chair.
 2. Removal from office requires a two-thirds vote of the Student Senate.
 3. Impeachment hearing procedures shall be outlined by the SGA bylaws. The Student Senate may change impeachment guidelines by a two-thirds vote.

X. Amendments

- A. **Constitution:** Amendments to the Constitution of the SGA require the consent of the Student Senate and student body.
 1. Amendments must first be brought before and consented to by the Student Senate.
 - a. Amendments are brought to the floor of the Senate in the same fashion as bills, with the exception that they are made available one week before they are voted on.
 - b. Amendments must be approved by two-thirds of the Student Senate before a student body referendum is held.
 2. Upon approval by the Student Senate, a student body referendum shall be held.
 - a. The Elections Council shall be responsible for conducting the referendum.
 - b. The referendum must be held within one month of Student Senate approval.
 - c. The student body must approve the amendment by majority vote of those participating in the referendum.
 3. If approved by the student body, the amendment takes effect at the beginning of the next semester.
 - 4.
- B. **Bylaws:** Amendments to the bylaws of the SGA require the majority consent of the Student Senate unless otherwise stipulated in the Constitution.
 1. Amendments to the bylaws are brought to the floor of the Senate in the same fashion as bills, with the exception that they are made available one week before they are voted on.
 2. If approved by the Student Senate, the amendment takes effect at the beginning of the next semester.